

**Remarks/Arguments:**

Claims 1, 4-7, 9, 13-15, and 17 remain in this application. Claims 2-3, 8, 10-12, and 16 have been canceled. Claims 1, 4-7, 9, 13-15, and 17 were amended herein.

All of the claims 1-17 were rejected, and some were objected to. In response Applicant has amended all of the pending claims in such a manner that the rejections and objection of the pending claims is now moot.

The inadequacies of the cited reference in regard to providing a basis for rejecting the pending claims will be discussed in detail further on. However, it will probably be beneficial to first take a step back and review at a higher level what the application and the cited references each discuss.

The application discloses a broadcasting system comprising a transmission apparatus (transmitter) transmitting audiovisual stream data for a series of plural programs, and plural data broadcasting contents (DBC's) relating to programs, which are multiplexed to each other. The system also comprises a plurality of receiving apparatus (receivers) receiving the audiovisual stream data (AVD) and presenting the corresponding program, while superimposing the DBC on the AVD. The transmission apparatus causes transmission of a DBC relating to a first program 1, to overlap transmission of a DBC relating to second program 2, i.e. it starts to transmit the DBC relating to the program 2 before the time "t0" when the AVD should change from the program 1 to 2, and transmits a presentation start instruction message (PSIM) at "t0". While the receiving apparatus receives the DBC relating to the program 2, and performs a process for forming an image, and invisibly presents the DBC. Thereafter, each of the plurality of receivers changes the state of the DBC to visible when the PSIM is received.

It is important to note that the broadcasting system disclosed: (a) supports (but doesn't require) the use of receivers that are only able to listen, and are unable to talk back to the transmitter; (b) determines how much to overlap DBC transmissions without reference to the current state of any of its receivers; (c) utilizes the same DBC transmission means to transmit all of the DBCs; (d) simultaneously transmits the same DBC or DBCs to all of its receivers; and (e) does not attempt to send all the DBCs to its receivers prior to sending AVD to its receivers.

The fact that the disclosed broadcasting system does not pre-send all DBCs allows it to support continuous and dynamic broadcasting as DVDs are transmitted immediately prior to presentation rather than all DBCs being transmitted in mass prior to presentation of any AVD or DBC.

In contrast, Parasnis et al. (US6728753, hereinafter "Parasnis") discusses methods and apparatus for making a single presentation, and improving the quality of that presentation by sending all the presentation files to a viewer as a single file transfer service (FTS) file, preferably before the presentation begins, i.e. prior to broadcasting of ASF formatted audio and visual signals. Parasnis also contemplates sending of an FTS file containing all the presentation slides after the presentation begins. In support of this, Parasnis provides for use of both a high-bandwidth FTS file and a low-bandwidth FTS file. If an FTS file is to be sent prior to the presentation beginning, the high-bandwidth FTS file is obtained. If an FTS file is to be sent during the presentation, the low-bandwidth FTS file is obtained. Parasnis specifically ensures that transmission of the high-bandwidth FTS file and the low-bandwidth FTS file do not overlap (Parasnis, col. 24, lines 19-26).

Parasnis discusses caching in the sense of pre-sending files, but does so to eliminate delays caused by transmission of the files, not delays in interpretation and/or presentation of them. Parasnis does not discuss not discuss preparing such pre-sent files for presentation before it is time to present them. Instead, it discusses sending a script command to load an appropriate HTML file.

Looking to the language of the amended claims, it is clear that Parasnis does not anticipate or obviate any of the pending claims. The inadequacies of Parasnis in this regard will now be discussed in further detail.

Among other things, claim 1 recites "the preceding data broadcasting content including first control information including an instruction which instructs the receiving apparatus to, on reception of an invisible presentation instruction message, start to receive the data broadcasting content...." The instruction in the first control information is not an instruction to display a DBC, but is instead an instruction to receive a DBC if a presentation instruction message is subsequently received. This recitation is not taught, suggested, or motivated by Parasnis.

Claim 1 also recites sending "an instruction which instructs the receiving apparatus to, when the data broadcasting content is designated to be presented, form an image according to the image structure information and invisibly present the image...." Parasnis does not teach, suggest, or motivate sending a message along with a DBC that instructs the receiving apparatus on what to do with the DBC after it has been fully received. In Parasnis, a file remains cached until an instruction is sent to display it. The display instruction of Parasnis is not part of the cached file, and does not provide instructions on what to do at once reception is complete.

Claim 1 also recites sending "an instruction which instructs the receiving apparatus to, on reception of a presentation start instruction message, visibly present the image...." Parasnis does not teach, suggest, or motivate sending such an instruction. Moreover, Parasnis does not teach, suggest, or motivate first invisibly presenting an image, and then visibly presenting the image. Although Parasnis discusses invisible Active-X controls, such controls remain invisible and the receiving apparatus of Parasnis does not attempt to make them visible upon receipt of a presentation start instruction message. Moreover, caching a file for later use is not "invisibly presenting" the file as presentation requires that a substantial amount of image formation steps be performed.

Claim 1 also recites a receiving apparatus that, in response to receipt of an invisible presentation instruction message, (a) starts to receive a DBC, and (b) designates the DBC being received to be invisibly presented after reception of the DBC is complete. This is not taught, suggested, or motivated by Parasnis which leaves files in cache until it receives an instruction to display them, and doesn't automatically begin presenting them (visibly or invisibly) after receiving them.

Claim 1 also recites "visibly presenting the image which has been invisibly presented ... on reception of the presentation start instruction message". As previously pointed out, Parasnis does not teach, suggest, or motivate first invisibly presenting an image and then, on receipt of a specific message to do so, visibly presenting the image.

As can be seen, Parasnis does not teach, suggest, or motivate all the recitations of claim 1. In particular, Parasnis does not teach, suggest, or motivate sending three instructions (one which is part of the first control information of the preceding DBC, and two others which are part of the

second control information of the DBC) where one instruction defines an event on occurrence of which receipt of a DBC is to begin, a second instruction instructs the receiving apparatus to wait until a DBC is received and then to invisibly present it, and a third instruction which defines an event on occurrence of which an invisible presentation is to be switched to a visible presentation. As such, claim 1 and any claims dependent on claim 1 are patentable over Parasnis.

Claim 4 includes recitations that more particularly recite how invisible and visible presentation of images occurs. More particularly, it makes it clear that invisible presentation comprises storing an image in a frame memory while prohibiting outputting a signal indicating the image to a display apparatus, and that visible presentation comprises allowing such a signal to be output. The recitations of claim 4 are not taught, suggested, or motivated by Parasnis, as such claim 4 and any claims dependent on claim 4 are patentable over Parasnis.

Among others, claim 5 includes recitations regarding sending an instruction to make a visible image invisible before beginning reception of a subsequent DBC. This recitation is not taught suggested or motivated by Parasnis. As such, claim 5 is patentable over Parasnis.


Among others, claim 6 includes recitations regarding sending an instruction to make a visible image invisible after reception of a subsequent DBC is complete. This recitation is not taught suggested or motivated by Parasnis. As such, claim 6 is patentable over Parasnis.

Claims 7 and 9, in addition to be patentable because of their dependent on patentable claims, are patentable because the recitations they add are not taught, suggested, or motivated by Parasnis.

To the extent that claim 13-15 and 17 include recitations similar to those of claims 1, 4-7 and 9, claims 13-15 and 17 are patentable over Parasnis. Moreover, claims 13-15 and 17 include additional recitations that are not taught suggested, or motivated by Parasnis, and thus are patentable over Parasnis.

It is believed that the case is now in condition for allowance, and an early notification of the same is requested. If the Examiner believes that a telephone interview will help further the prosecution of this case, he is respectfully requested to contact the undersigned attorney at the listed telephone number.

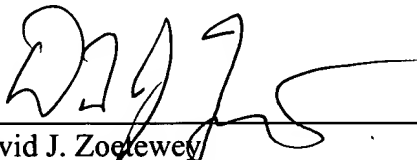
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 23, 2005.

By: Joan M. Gordon  
  
Signature

Dated: February 23, 2005

Very truly yours,

**SNELL & WILMER L.L.P.**

  
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